

ATTACHMENT A

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

ZITO CANTON, LLC,

Complainant,

v.

PENNSYLVANIA POWER & LIGHT
COMPANY,

Respondent.

Proceeding No. 17-284

File No. EB-17-MD-005

DECLARATION OF KELLY RAGOSTA

I, KELLY RAGOSTA, declare as follows:


1. I serve as Commercial Services Project Manager for Zito Canton, LLC (“Zito”), with a general office address of 102 South Main Street, Coudersport, PA 16915. I make this Declaration in support of Zito’s Opposition to Motion to Dismiss filed by PPL Electric Utilities Corporation (“PPL”) in the above-captioned case. I know the following of my own personal knowledge, and if called as a witness in this action, I could and would testify competently to these facts under oath.
2. Attached hereto as Exhibit 1 is a true and correct copy of the email I sent to Jose Silverio, PPL Support Engineer, on September 1, 2017, requesting a copy of the pole attachment agreement between Zito and PPL.

3. Attached hereto as Exhibit 2 is a true and correct copy of the email I sent to Mr. Silverio on September 19, 2017, again requesting a copy of the pole attachment agreement between Zito and PPL.

4. Neither Mr. Silverio nor anyone else at PPL provided me with a copy of the requested pole attachment agreement.

5. Zito does not have a copy of an agreement between Pennsylvania Power & Light Company and Retel TV Cable Company, Inc. dated January 14, 1991.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge.

By: 
Kelly Ragosta

Dated: November 6, 2017

EXHIBIT 1

----- Forwarded Message -----

Subject:Pole attachment agreement

Date:Fri, 1 Sep 2017 11:41:54 -0400

From:Kelly Ragosta <kelly.ragosta@zitomedia.com>

To:Silverio, Jose E <JESilverio@pplweb.com>

Jose,

Can you send me a copy of our pole attachment agreement with PP&L?

Thanks.

Kelly

EXHIBIT 2

----- Forwarded Message -----

Subject:pole attachment agreement

Date:Tue, 19 Sep 2017 09:48:41 -0400

From:Kelly Ragosta <kelly.ragosta@zitomedia.com>

To:Silverio, Jose E <JESilverio@pplweb.com>

Jose,

Can you send me our pole attachment agreement with PP&L? If you don't have access to it, can you find out who does?

Thanks.

Kelly